UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:11-cr-111

UNITED STATES OF AMERICA)
v.)) ORDEF
NICHOLAS LOWERY (2))))

THIS MATTER is before the Court upon the Government's Motion to dismiss Count Six of the Indictment without prejudice, pursuant to Fed. R. Crim. P. 48(a). (Doc. No. 79).

IT IS ORDERED that the Government's motion is **GRANTED** and Count Six of the Indictment against Nicholas Lowery is dismissed without prejudice.

Signed: January 31, 2012

Robert J. Conrad, Jr.

Chief United States District Judge